



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

MAY 08 2013

OFFICE OF
AIR, WASTE AND TOXICS

Richard Yarbrough
President
Omak Wood Products LLC
729 Jackson Street
Omak, Washington 98841

Dear Mr. Yarbrough:

This is in response to your letter of April 9, 2013, to Dennis McLerran, Regional Administrator of the U.S. Environmental Protection Agency (EPA) Region 10. Your letter describes a pending lease agreement under which the Colville Indian Plywood and Veneer (CIPV) facility in Omak, Washington would be leased to Omak Wood Products LLC. In your letter, you asked us to respond to your conclusion that resumption of operations at the CIPV facility would not be considered a new source according to the EPA's Reactivation Policy (the September 6, 1978, memorandum from Edward E. Reich to Stephen A. Dvorkin, and the factors articulated in the June 11, 1999, Order from the EPA Administrator regarding Entergy Louisiana Inc.'s Monroe Electric Generating Plant). We agree with your conclusion as follows.

Duration of Shutdown. Your letter indicates that the facility was idled in July 2009. If the facility was to resume operations in the next few months, it would have been idle for a period of about four years.

Cause and Intent of Shutdown. We understand, from your letter, that the cause of the facility shutdown was the economic slowdown that affected the entire building products industry, and that the intent, as stated by the facility owners, was that the facility would be reopened once market conditions improved.

Continuous Intent to Resume Operations. You have also provided details on how the owners of the facility have sought to enter into agreements with other entities to restart the mill. Discussions between the owners and your representatives started as early as November 2010.

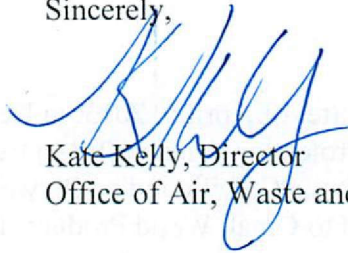
Ongoing Maintenance. We understand that ongoing maintenance of key machine centers was appropriately and properly executed in accordance with a protective lay-up plan to assure an effective restart. Once the protective lay-up plan was complete, contractors were retained to maintain equipment and security.

Permitting Agency Handling of Facility and Status of Permits. During the time that the CIPV facility was idled, the air quality permits issued by the EPA were maintained. Our records indicate that payment of emission fees are current and that, with the exception of events that resulted in a Notice of Violation in December 2010, emissions reports and registration reports have been submitted as required by the Federal Air Rules for Reservations. During this period, the EPA has made no efforts to treat CIPV as other than an active, permitted facility.

Based on our review of the information submitted in your letter, the EPA agrees with your conclusion that resumption of operations at the CIPV facility does not constitute a new source under the New Source Review program. We understand that Omak Wood Products LLC will not make any modifications before restarting the facility. Consequently, while a permit amendment will be necessary to update the name of the owner/operator of the facility, production operations at the facility may be resumed under the facility's existing Part 71 permit.

If you have any questions, please contact Don Dossett of my staff at 206-553-1783.

Sincerely,

A handwritten signature in blue ink, appearing to read "K Kelly", is written over the typed name and title.

Kate Kelly, Director
Office of Air, Waste and Toxics

cc: Gary Passmore
Colville Tribe